

**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD**

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIRST DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY
WRIT PETITION NO : 26192 of 1997

Between:

Dr.Anand Paderu @ Dr.P.J.Anand Kumar S/o Late
P.Jagannatham, Occ: Casual Civil Asst. Surgeon,
Contonment Hospitals, R/o Bollaram, Secunderabad.

..... PETITIONER

AND

- 1 The Contonment Executive Officer, Secunderabad
Contonement Board, Secunderabad.
- 2 The Officer, General Command in Chief, Southern Command,
Pune.
- 3 The Union of India, Rep.by its Secretary to Government,
Defence Department, Central Secretariat, New Delhi.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ, Order or direction, more Particularly one in the nature of Writ of Mandamus, declaring the action of the respondent No.1 in discharging him from his post by way of appointing their men W.e.F.,5-10-97 without notice as being violative of Principles of natural justice, malice and contrary to sec.8 of C.F.S.Rules,1937 and violative of art.14,15,16 and 21 of the constitution of India, and consequently direct the respondents to suspend all further proceedings relating to the selection for the post of Civil Asst. Surgeon.

Counsel for the Petitioner: MR.S.TULASI DAS

Counsel for the Respondents.: MR.Y.V.RAVI PRASAD

The Court made the following ORDER:

This writ petition is filed by the petitioner subsequent to the earlier writ petition No.4971 of 1997 questioning the order of discharge of the petitioner from the post of temporary Medical Officer, in which he was appointed for a short period, pending regular selections.

2. The petitioner was discharged as soon as a regular person was appointed in regular selection. When once a regular selected candidate has been appointed as a Medical Officer, the petitioner is not entitled to continue and there is no question of violation of principles of natural justice in discharging the petitioner, who was working in the post for a short period.

3. Therefore, the writ petition is devoid of merits and the same is accordingly dismissed. No costs.

S. Ananda Reddy, J

Date: 21.09.2004

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To

- 1 The Contonment Executive Officer, Secunderabad
Contonement Board, Secunderabad.
- 2 The Officer, General Command in Chief, Southern Command,
Pune.
- 3 The Secretary to Government, Union of India,
Defence Department, Central Secretariat, New Delhi.
- 4 Two CD Copies